

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, January 23, 1925.

Hon. Lee Satterwhite, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and compared

H. B. No. 118, A bill to be entitled
"An Act to create the Amherst Independent School District in Lamb county, Texas, providing for the appointment of a board of trustees by the county judge of Lamb county until their successors are elected and qualified, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

ELEVENTH DAY.

(Monday, January 26, 1925.)

The House met at 10 o'clock a. m.,
pursuant to adjournment, and was called
to order by Speaker Satterwhite.

The roll was called and the following
members were present:

Acker.	Covey.
Albritton.	Cox of Lamar.
Alexander	Cox of Navarro.
of Bastrop.	Cummings.
Alexander	Dale.
of Limestone.	Daniels.
Atkinson.	Davis of Dallas.
Avis.	Davis of Wood.
Baker of Orange.	DeBerry.
Baker of Panola.	Dielmann.
Barker.	Dinkle.
Barron.	Donnell.
Bartlett.	Downs.
Bateman.	Dunn of Falls.
Bean.	Dunn of Hopkins.
Bird.	Durham.
Blount.	Enderby.
Bobbitt.	Farrar.
Boggs.	Fields.
Bonham.	Finlay.
Brown.	Foster.
Bryant.	Frnka.
Cade.	Graves.
Carter.	Gray.
Chitwood.	Hagaman.
Coffey.	Hall.
Conway.	Harman.
Coody.	High.

Hollowell.	Powell.
Hoskins.	Rawlins.
Irwin.	Renfro.
Jacks.	Rice.
Jasper.	Robinson.
Johnson.	Rogers.
Jones.	Rowell.
Justice.	Rowland.
Kemble.	Runge.
Kenyon.	Sanford.
King.	Shearer.
Kittrell.	Sheats.
Laird.	Simmons.
Lane of Hamilton.	Smith of Nueces.
Lane of Harrison.	Smith of Travis.
Lipscomb.	Smyth.
Loftin.	Sparks.
Low.	Stautzenberger.
Mankin.	Stell.
Masterson.	Stout.
McDonald.	Taylor.
McDougald.	Teer.
McFarlane.	Thompson.
McGill.	Tomme.
McKean.	Veatch.
Merritt.	Wade.
Montgomery.	Walker.
Moore.	Wallace.
Nicholson.	Webb.
Parish.	Wells.
Pavlica.	Westbrook.
Perdue.	Wester.
Petsch.	Williamson.
Poage.	Wilson.
Pool.	Woodruff.
Pope.	Young.

Absent.

Faulk.	Purl.
Florence.	Stevens.
Harper.	Strong.
Houston.	
Absent—Excused.	
Amsler.	McBride.
Bedford.	McNatt.
Dunlap.	Pearce.
Hull.	Raymer.
Jordan.	Simpson.
Kayton.	Stevenson.
Kinnear.	Sinks.
Maxwell.	Storey.

A quorum was announced present.

Prayer was offered by Rev. J. C.
Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted
leave of absence on account of important
business:

Mr. Pearce for today, on motion of
Mr. Barker.

Mr. Petsch for today, on motion of
Mr. Baker of Orange.

Mr. Storey for today, on motion of Mr. Loftin.

Mr. Kayton and Mr. Sinks for today, on motion of Mr. Dielmann.

Mr. McBride for today, on motion of Mr. Perdue.

Mr. McNatt for today, on motion of Mr. McFarlane.

Mr. Bedford for today, on motion of Mr. Young.

Mr. Jordan for today, on motion of Mr. Rawlins.

Mr. Simpson for today, on motion of Mr. Lane of Harrison.

Mr. Raymer for today and the balance of the week, on motion of Mr. Wilson.

Mr. Hull for today, on motion of Mr. Cade.

Mr. Dunlap and Mr. Amsler for today, on motion of Mr. Jacks.

The following members were granted leave of absence on account of sickness:

Mr. Stevens for today, on motion of Mr. Chitwood.

Mr. Maxwell for today and the balance of the week, on motion of Mr. Loftin.

Mr. Kinnear for today, on motion of Mr. Nicholson.

OATH OF OFFICE ADMINISTERED.

The Speaker appointed Messrs. Bryant, Barker and Atkinson as a committee to escort Hon. J. D. Avis of Wichita county to the Speaker's stand for the purpose of taking the constitutional oath of office.

The committee having performed their duty, the constitutional oath of office was administered to Mr. Avis by the Speaker.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Farrar:

H. B. No. 212, A bill to be entitled "An Act incorporating the Italy Independent School District in Ellis county, Texas, for free school purposes only; defining its boundaries; providing for board of trustees; providing for a treasurer for the funds of said district, and providing for an assessor and collector of taxes of said district; divesting the city of Italy of the control of its public schools and the title to school property and vesting the same in said Italy Independent School District and its board of trustees, and prescribing the rights, privileges and duties of said Italy Inde-

pendent School District and its board of trustees and officers; authorizing the levying and collection of taxes for said school purposes, and authorizing the right of eminent domain to condemn property for school purposes; authorizing the said independent school district to borrow money without the issuance of bonds; authorizing the said board to be vested with all authority that is vested in board of trustees of independent school districts by the general laws of the State of Texas, and authorizing them to employ an attorney for the protection of property; and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Stell:

H. B. No. 213, A bill to be entitled "An Act to create a marketing and price recommending commission; providing the manner of appointment, the tenure of office; prescribing their duties and qualifications, and providing for a plan of cooperation between said commission and any similar commission created by any other State in recommending a profitable price for cotton, cottonseed, and other staple farm products, and providing that all departments of the State government and all institutions using State funds shall give their support in an educational way to the advocacy of profitable prices for cotton, cottonseed and other staple farm products as recommended by the State Marketing and Price Recommending Commission, and providing that the State Department of Agriculture and the A. and M. College shall, through their different agencies, bureaus, field workers, farm demonstrators, bulletins and other publications give publicity to any and all prices recommended by the commission; making an appropriation to pay the per diem and expenses of the commission; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Wester:

H. B. No. 214, A bill to be entitled "An Act creating and incorporating Center Independent School District No. 5, in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and

issue bonds; providing for an assessor and collector of taxes and for a board of qualifications; providing that the Center Independent School District shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1, in Hockley county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Ropes Independent School District No. 1; providing that all property now vested in Ropes Independent School District No. 1, with its metes and bounds of Center Independent School District No. 5, as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provisions of this act shall not invalidate any remaining parts or provision, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Dale:

H. B. No. 215, A bill to be entitled "An Act to create and establish the One Hundred and Second Judicial District of Texas; to fix the terms and time of holding court in said district; to provide for the organization of grand juries at certain terms of said court; to provide that the county attorney of Fannin county shall prosecute all criminal cases in said court, and perform all the duties heretofore devolving upon the district attorney for the Sixth Judicial District of Texas, so far as the same affects Fannin county; to diminish the civil and criminal jurisdiction of the county court of Fannin county, and to conform the jurisdiction of the district court of said county to said change; providing for the appointment of an official court reporter, and to fix the compensation of such reporter; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Mankin:

H. B. No. 216, A bill to be entitled "An Act to amend Chapter 102, Special Laws of the Thirty-eighth Legislature enacted at its Regular Session, creating

the Spicewood Independent School District; the said amendment providing for redefining the boundaries of said school district and providing for retention in office of present board of trustees and confirming the rights of the present board of trustees under the general laws of the State of Texas; validating all taxes now in force; providing for election to determine whether or not the taxes for the district shall be levied, assessed and collected on all property in said district as extended by this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Parl:

H. B. No. 217, A bill to be entitled "An Act to protect life and limb by requiring safeguarding of all passenger elevators within the State of Texas; providing for approval of safety devices, and fixing a penalty."

Referred to Committee on Criminal Jurisprudence.

By Mr. Stevenson, Mr. Runge, Mr. Sanford, Mr. Finlay, Mr. McDougald, Mr. Chitwood and Mr. Lipscomb:

H. B. No. 218, A bill to be entitled "An Act repealing Chapter 60 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 12 of the General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by Chapter 4 of the General Laws of the Second Called Session of the Thirty-fifth Legislature, as amended by Chapter 64 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 27 of the General Laws of the Second Called Session of the Thirty-sixth Legislature, as amended by Chapter 38 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 10 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and an act to embody in one act the substance of the provisions of said repealed statutes, with substantially the following eliminations and changes, viz: 1. Abolishing the system of compulsory tick eradication and eradication zones, as provided for in said repealed statutes. 2. Providing for the placing under quarantine of all portions of Texas that are at present infested with the fever-carrying tick. 3. Providing for compulsory tick eradication work, at the expense of the State and the several counties as provided for in this act,

such work to commence and be initiated in all tick-infested counties and portions of counties bounded on the east by the Brazos river, from the mouth of said river to the northwest corner of Robertson county, and all counties north and west of the following lines: Commencing at the northwest corner of Robertson county, on said Brazos river; thence in an easterly direction with the north lines of Robertson and Leon counties, to the northeast corner of Leon county, in the west line of Anderson county; thence in a northerly direction, following the west line of Anderson county, to the northwest corner of said county and southeast line between said counties of Anderson and Henderson to the northeast corner of Anderson county and the southeast corner of Henderson county; thence in a northerly direction, following the west line of Cherokee county, to the northwest corner of said county, same being the southwest corner of Smith county; thence in an easterly direction, following the north line of Cherokee county to the northeast corner of same, being the southeast corner of said Smith county in a northeast corner of same, being the southeast corner of said Smith county, in a northerly direction to the northwest corner of same, said point being the southwest corner of Gregg county; thence in an easterly direction, following the north line of Rusk county, to where the same intersects the south line of Harrison county; thence with the south line of Harrison county and the north line of Panola county to the southeast corner of said Harrison county and the northeast corner of Panola county, on the line of the State of Louisiana; and providing for the prosecution of said compulsory tick eradication of the last above mentioned line are freed of the fever-carrying tick and are released from quarantine by the Live Stock Sanitary Commission of the State of Texas. 4. Prohibiting the owners of live stock in quarantine areas from shipping, driving, or permitting such stock to go, without legally issued permits therefor, into or along the side of any area that is free of fever-carrying ticks or in which systematic tick eradication is being carried on, and prescribing penalties for a violation of said requirement. 5. Prohibiting the owners, care takers or persons in charge of any cattle infested with the fever-carrying tick from shipping, driving, drifting or permitting said cattle to go into any other county or portion of county within this State that is free of ticks or that may have

been released from quarantine by the Live Stock Sanitary Commission of the State of Texas, and providing penalties therefor."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Kittrell:

H. B. No. 219, A bill to be entitled "An Act to amend an act passed at the Regular Session of the Thirty-eighth Legislature, being Chapter 171 of the General Laws passed by the Thirty-eighth Legislature and being 'An Act fixing in counties having a population in excess of one hundred and fifty thousand inhabitants, the compensation of district attorneys and providing for the appointment of assistant district attorneys, investigators, stenographers, deputies and other employees and providing for their salaries and the manner of their payment, and repealing all laws in conflict herewith with exception, and declaring an emergency,' by providing that one of the seven assistant district attorneys authorized by the act to be appointed shall receive a salary not to exceed four thousand eight hundred dollars per annum, instead of a salary not to exceed three thousand six hundred dollars per annum, as provided in the act amended, and two other of said assistants at salaries not to exceed three thousand six hundred dollars per annum each, instead of a salary not to exceed three thousand dollars per annum each, as is provided in the act amended, all payable monthly by said counties, by warrant drawn from the general funds thereof, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Simmons:

H. B. No. 220, A bill to be entitled "An Act amending Section 39, under Section 1 of House bill No. 136, being Chapter 168 of the General Laws passed at the Regular Session of the Thirty-eighth Legislature, relative to public roads and highways, so as to except and exempt from the said chapter, and the county of Bowie, Texas."

Referred to Committee on Highways and Motor Traffic.

By Mr. Masterson:

H. B. No. 221, A bill to be entitled "An Act to amend Article 300, Chapter 2, Title 7, of the Penal Code of the State so as to exempt keepers of garages and their servants from the operation of Article 299, Chapter 2, Title 7 of said Penal Code, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Stout:

H. B. No. 222, A bill to be entitled "An Act to amend Section 1, Chapter 94 of the General Laws of the State of Texas passed by the Regular Session of the Thirty-sixth Legislature, 1919, being entitled, 'An Act to provide that the commissioners court shall provide suitable places in the courthouse for the holding of court by justices of the peace, in the precinct where the courthouse is situated where there are more than seventy-five thousand inhabitants in such justice precinct, so as to provide that commissioners court shall provide such places for holding of court in the courthouse to precinct where the courthouse is situated,' and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Wilson:

H. B. No. 223, A bill to be entitled "An Act authorizing county attorneys or criminal district attorneys, when there are no county attorneys, to appear in their respective counties in behalf of the State of Texas in certain suits for divorce; providing the manner of service; providing the duty of the county and criminal district attorneys; providing for the serving of copies of the pleadings by the clerk, to the county or criminal district attorneys; providing for a fee in addition to the regular costs now provided; providing when the judgment shall become final; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Irwin:

H. B. No. 224, A bill to be entitled "An Act to amend Section 3, Chapter 26 of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature, at the Regular Session thereof, of the State of Texas, 1919, entitled, 'An Act to fix the compensation of the bailiffs of the grand jury.'"

Referred to Judiciary Committee.

By Mr. Faulk:

H. B. No. 225, A bill to be entitled "An Act to amend Chapter 104 of the Regular Session of the Thirty-eighth Legislature, amending Articles 6901a, 6901b, 6901c, 6901cc and 6901dd of the revised compensation of county commissioners; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Kittrell:

H. B. No. 226, A bill to be entitled "An Act to regulate the platting and sub-divisions of land and the sales of small lots of land in cities and towns and within three miles thereof; requiring the approval of plats by the city or town; providing penalty for the sale of land without such approval; prohibiting the recording by the county clerk of deeds and plats without the approval by the city or town, and prescribing penalties therefor; providing that all laws or parts of laws in conflict therewith are hereby repealed, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Kittrell:

H. B. No. 227, A bill to be entitled "An Act authorizing legislative bodies of incorporated cities and towns to provide for the promotion of health, safety, morals and general welfare of the community; to regulate and restrict the size, kind and character of buildings; the dimensions of lots, yards, etc.; the density of population and the location and use of buildings for trade, industries, residences or other purposes; providing that said municipal legislative bodies may subdivide the municipality into districts to carry out the purposes of this act, and within such districts to regulate construction and alteration of buildings, and the use of land therein contained and facilitate the adequate provision of transportation, water, sewerage, schools and parks, and to promote the health and general welfare; providing the method of procedure whereby such legislative bodies shall establish regulations and restrictions to carry out the purpose of this act; providing the manner and method of making changes in such regulations and restrictions; providing for the creation of a zoning commission and defining its powers and duties; prescribing the remedy to be pursued in case of violation of this act or any ordinance or regulation made under authority conferred thereby; describing the manner of construing this act with relation to other laws, ordinances and regulations; providing for the repeal of laws or parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Daniels and Mr. Purl:

H. B. No. 228, A bill to be entitled "An Act to amend Articles 157, 161 and 163 of the Revised Statutes of the State

of Texas of 1911, relating to the commitment and confinement of insane persons; the manner thereof; the furnishing of a transcript of the proceedings relating thereto; repealing all laws in conflict herewith, declaring an emergency, and fixing a time for this act to take effect."

Referred to Judiciary Committee.

By Mr. Daniels and Mr. Purl:

H. B. No. 229, A bill to be entitled "An Act to amend Article 4186, Revised Civil Statutes of the State of Texas of 1911, relating to filing of accounts by guardians and furnishing certified copies thereof in certain cases, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Daniels and Mr. Purl:

H. B. No. 230, A bill to be entitled "An Act authorizing the sale to the United States of America of the American Legion Memorial Sanatorium of Texas, owned by the State of Texas and situated near the town of Kerrville, in Kerr county, Texas, including lands, buildings, improvements, equipment and appurtenances thereto belonging; regulating the price at which same shall be sold; providing the proper portion of the funds realized from such sale shall be placed in the State Treasury and making proper disposition of the remainder; authorizing the proper instrument of conveyance to be executed, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. High:

H. B. No. 231, A bill to be entitled "An Act to limit the weights of wagons or other vehicles drawn or propelled by muscular power which may be operated on the public highways; prescribing penalties; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Kittrell:

H. B. No. 232, A bill to be entitled "An Act to repeal Section 45 and all succeeding sections down to and inclusive of Section 145 of Chapter 101 of the Acts of the Regular Session of the Twenty-eighth Legislature, commonly known as the Primary Election Law."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Smith of Travis:

H. B. No. 233, A bill to be entitled

"An Act to create a more efficient system for assessing and collecting taxes by amending Article 7700 of Title 126, Chapter 15, Revised Civil Statutes of 1911, to include a method of payment, for platting surveys or tracts of land, and to keep same up to date, and same must be compiled to show names of owners, and if any tract of land is delinquent same must be shown and provision for collecting delinquent and insolvent taxes shall be made; making such records the official records of the county, and providing a bond shall be given guaranteeing a faithful and efficient performance of the work; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Parish:

H. B. No. 234, A bill to be entitled "An Act to amend Section 2, Chapter 50, of Local and Special Laws of the State of Texas, being an act known as House bill No. 122, enacted by the Thirty-sixth Legislature of the State of Texas, at its Third Called Session, approved June 17, 1920, creating the Miles Independent School District, by adding thereto, after Section 2, Section 2a, authorizing the board of trustees of the Miles Independent School District to manage and control the public free schools in said district; declaring an emergency, and repealing all laws and parts of laws in conflict herewith."

Referred to Committee on School Districts.

By Mr. Wester:

H. B. No. 235, A bill to be entitled "An Act creating and incorporating Clauene Independent School District in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, term of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Clauene Independent School District No. 6 shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1 within the metes and bounds of the said Clauene Independent School District No. 6 in Hockley county, Texas;

validating and continuing in force all taxes heretofore vested and now in force in said Ropes Independent School District No. 1; providing that title to all property now vested in Ropes Independent School District No. 1 within the boundaries of the Clauene Independent School District No. 6 shall, on the passage of this act, vest in Clauene Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. McDonald:

H. B. No. 236, A bill to be entitled "An Act to repeal Chapter 134, of the Local and Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, being 'An Act to create a more efficient road law for Walker county, Texas,' etc., as amended by Chapter 6 of the Special Laws of the First Called Session of the Thirty-fourth Legislature of the State of Texas, and as further amended by Chapter 32 of the Special Laws of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, to place Walker county under the operation of the general road laws of the State of Texas, and providing that nothing in this act shall affect in anywise road bonds heretofore issued by said Walker county or any subdivision thereof, or impair any existing contract executed or entered into by the commissioners court of said Walker county pursuant to the special road laws hereby repealed, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the Committee on Constitutional Amendments:

By Mr. King and others:

H. J. R. No. 8, Proposing an amendment to Article XVI of the Constitution of Texas so as to change the maximum rate of interest that may be contracted for to eight per centum instead of ten per centum per annum, and providing for an election for the adoption or rejection of the amendment herein proposed.

FURTHER TIME GRANTED.

On motion of Mr. Rice, further time was granted the committee for the consideration of House bill No. 129.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 67, A bill to be entitled "An Act to amend Chapter 32, Acts of the Regular Session of the Thirty-fifth Legislature, the same being entitled 'An Act to amend Chapter 8, Acts of the Regular Session of the Twenty-eighth Legislature, the same being entitled, 'An Act to aid the City of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston county for a period of fifteen years, and provide a penalty for their misapplication,' by extending the provisions of said act for a period of ten years from September 1, 1918,' by extending the provisions of said act for a period of ten years from September 1, 1928."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

PROVIDING PAY FOR CERTAIN EMPLOYEE.

Mr. Davis of Dallas offered the following resolution:

Whereas, Joe LeBow, at the direction of the State Board of Control, acted as elevator operator for the House on the night of January 13, prior to the appointment of the regular operator; therefore, be it

Resolved, That he be paid out of the mileage and per diem fund of the House

the sum of four dollars (\$4.00), which is the sum received per day by the regular operator.

The resolution was read second time and was adopted.

RELATING TO CONDITIONS AT CONFEDERATE HOME.

Mr. Boggs offered the following resolution:

Whereas, The murmurings of discontent of many of the inmates of the State Confederate Home touches a responsive chord in the heart of every true Southerner; and

Whereas, It has been reported to members of the Eleemosynary Committee of this honorable body that the physician employed at this Home is at Home only from 9 to 12 a. m. and is not there during the afternoon or night to render medical assistance if needed to the veterans of this Home; and

Whereas, The sample of coffee procured at the Home by members of the Eleemosynary Committee is not fit for the consumption of human beings; and

Whereas, The allegation that the sick are not provided with meals on Sunday nights; and

Whereas, The charge is also made that some of the inmates have been harshly treated and there are charges of gross injustice to the veterans; therefore be it

Resolved, That it is the desire of the Thirty-ninth Legislature that a complete and thorough investigation be made of these murmurings and the condition of the Home by the Eleemosynary Committee; and be it further

Resolved, That this committee be authorized to take with them a notary public, or other officer, empowered to take acknowledgments for the purpose of securing affidavits from the inmates of said Home, if in their judgment they find such affidavits necessary.

The resolution was read second time.

Mr. Fields moved to refer the resolution to the Committee on State Eleemosynary and Reformatory Institutions.

On motion of Mr. Dinkle, the motion to refer was tabled.

Question then recurring on the resolution, it was adopted.

(Mr. Blount in the chair.)

STATEMENT BY MR. IRWIN.

Mr. Irwin asked unanimous consent that the following statement be printed in the Journal:

There have been so many rumors in the Capitol and elsewhere, about my atti-

tude in reference to the Penitentiary Investigation Committee that I feel that it is my solemn duty to make the following statements:

1. I shall serve on the Penitentiary Investigation Committee as appointed by your and my Honorable Speaker.

2. In asking for the Penitentiary Investigating Committee I did not do so for the purpose of seeking any tactful political advantage, nor place of prominence on same, but I had a desire to serve Texas, having only the true interest of my people at heart.

3. It is my desire that the committee shall be thorough, fair, fearless, harmonious and frank with the members of the House and with the people; and I should resent the insinuation that any member is not in sympathy with such a program.

4. I am authorized to say that the Governor's office will give this committee their hearty co-operation in its efforts to punish any offender and to correct any evil in the prison system;

Therefore, Mr. Speaker, I ask unanimous consent to have this statement printed in the House Journal.

There was no objection offered.

(Speaker in the chair.)

HOUSE BILL NO. 95 ON ENGROSSMENT.

Mr. Wallace moved that House bill No. 95, which bill was heretofore laid on the table subject to call, be taken up for consideration at this time.

The motion prevailed.

The Speaker then laid before the House, on its passage to engrossment,

H. B. No. 95, A bill to be entitled "An Act to amend Article 346, Chapter 2, Title 13, of the Revised Civil Statutes of Texas, 1911, providing for the election of a criminal district attorney in counties that do not have a district attorney, and providing for the rights, powers, duties, fees and compensations of said attorneys, and providing for the laws that shall apply to said attorneys, and providing that said attorneys shall cease to perform the functions of said office when a district attorney has been elected in said county and qualified, and amending Article 346, Chapter 2, Title 13 of the Revised Civil Statutes of Texas, 1911, by defining the term 'Criminal District Attorney,' and said act providing that nothing in said act shall repeal or modify any law now existing affecting any criminal district attorney, and providing that said act shall only be cumulative thereof, and said act providing

that all county attorneys affected by said act shall continue in office and hereafter be known as criminal district attorney of the county of their residence until their successors are elected at the next general election and qualified, and declaring an emergency."

The bill having heretofore been read second time.

On motion of Mr. Wallace, the bill was recommitted to the Judiciary Committee for further consideration.

SENATE BILL NO. 62 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 62, A bill to be entitled "An Act vesting in the State of Texas for the benefit of the Texas State Railroad to the exclusion of all other governmental agencies of the State and the United States, title to all steel rail now upon the roadbed of the Texas State Railroad, and allotted to the State of Texas by the United States from the surplus war materials of the Federal government at the end of the late war; and providing that sale or other disposition of such Texas State Railroad, under authority of law, shall pass title to such steel rail as against all other State agencies, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—104.

Acker.	Daniels.
Albritton.	Davis of Wood.
Alexander	DeBerry.
of Bastrop.	Dielmann.
Alexander	Donnell.
of Limestone.	Downs.
Atkinson.	Dunn of Falls.
Baker of Orange.	Durham.
Baker of Panola.	Enderby.
Barker.	Farrar.
Barron.	Fields.
Bateman.	Finlay.
Bean.	Florence.
Bird.	Foster.
Blount.	Frnka.
Bobbitt.	Graves.
Boggs.	Gray.
Bryant.	Hall.
Carter.	Harper.
Chitwood.	High.
Coffey.	Hollowell.
Conway.	Hoskins.
Coody.	Irwin.
Covey.	Jacks.
Cox of Lamar.	Johnson.
Cox of Navarro.	Jones.
Cummings.	Justice.
Dale.	Kenyon.

King.	Rowland.
Kittrell.	Runge.
Laird.	Shearer.
Lane of Harrison.	Sheats.
Loftin.	Simmons.
Low.	Smith of Nueces.
Mankin.	Smith of Travis.
Masterson.	Smyth.
McDougald.	Sparks.
McFarlane.	Stautzenberger.
McGill.	Stell.
McKean.	Stevens.
Merritt.	Stout.
Moore.	Strong.
Nicholson.	Taylor.
Parish.	Teer.
Pavlica.	Thompson.
Perdue.	Tomme.
Pope.	Veatch.
Powell.	Wade.
Rawlins.	Walker.
Renfro.	Wallace.
Rice.	Webb.
Robinson.	Wester.
Rogers.	Wilson.
Rowell.	Young.

Nays—1.

Lane of Hamilton.

Present—Not Voting.

Cade.

Lipscomb.

Absent.

Avis.	Kemble.
Bartlett.	McDonald.
Bonham.	Montgomery.
Brown.	Poage.
Davis of Dallas.	Pool.
Dinkle.	Purl.
Dunn of Hopkins.	Sanford.
Faulk.	Stevenson.
Hagaman.	Wells.
Harman.	Westbrook.
Houston.	Williamson.
Jasper.	Woodruff.

Absent—Excused.

Amsler.	McBride.
Bedford.	McNatt.
Dunlap.	Pearce.
Hull.	Petsch.
Jordan.	Raymer.
Kayton.	Simpson.
Kinnear.	Sinks.
Maxwell.	Storey.

HOUSE BILL NO. 80 ON SECOND READING.

The Speaker laid before the House, as postponed business, on its passage to engrossment.

H. B. No. 80, A bill to be entitled "An Act to amend paragraph No. 4 of

Article 1422, Title 17, Chapter 18, of the Penal Code of Texas, 1911, relating to swindling, making certain facts prima facie evidence, and declaring an emergency."

The bill having heretofore been read second time.

Mr. Cummings offered the following amendment to the bill:

Amend House bill No. 80 by striking out all after the enacting clause and inserting the following:

"That Article 1422, Title 17, Chapter 18, Penal Code of Texas (1911) as amended by the acts of the Thirty-third Legislature of Texas, relating to swindling be amended so as hereafter to read as follows:

"Article 1422. Within the meaning of the term 'swindling' are included the following wrongful acts:

"1. The exchange of property upon the false pretense that the party is the owner or has the right to dispose of the property given in exchange.

"2. The purchase of property upon the faith and credit of some other person upon the false pretense that such other has given the accused the right to use his name in making the acquisition.

"3. The obtaining by false pretense the possession of any instrument of writing, certificate, field notes or other paper relating to lands, the property of another, with the intent that thereby the property owner shall be defeated of a valuable right in such lands.

"4. The obtaining by any person of any money or other thing of value with intent to defraud by the giving or drawing of any check, draft, or order upon any bank, person, firm or corporation, with which or with whom such person giving or drawing said check, draft, or order, has not at the time of the giving or drawing of such check, draft, or order sufficient funds to pay same. In a criminal prosecution under this provision of law, proof that any such person gave or drew any such check, draft, or order, and that said check, draft, or order, was returned and the payment upon same was refused on account of no funds, or insufficient funds, shall be prima facie evidence of the guilt of the defendant, and the burden shall then be upon the defendant to prove that the transaction was not made with intent to defraud and was not unlawful.

"5. The fact that our present law is inadequate to prevent fraud and imposition in the giving of worthless checks, and that this measure is calculated to remedy this evil, creates

an emergency and imperative public necessity, demanding the suspension of the constitutional rule requiring bills to be read on three several days in each House, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Dielmann raised a point of order on consideration of the amendment on the ground that it embodies the same subject matter which has been defeated in the committee.

The Speaker overruled the point of order.

Mr. McFarlane raised a point of order on consideration of the amendment on the ground that it changes the subject matter of the bill.

The Speaker overruled the point of order.

Mr. Montgomery moved to postpone further consideration of the bill until 2 o'clock p. m. tomorrow.

Mr. McFarlane moved to table the motion to postpone, and the motion to table was lost.

Question then recurring on the motion to postpone, it prevailed.

BILLS RE-REFERRED.

On motion of Mr. Shearer, by unanimous consent, House bill No. 71 was recommitted to the Committee on Public Health.

On motion of Mr. Teer, by unanimous consent, House bill No. 67 was withdrawn from the Committee on State Affairs and referred to the Committee on Revenue and Taxation.

RECESS.

On motion of Mr. Baker of Panola, the House, at 11:30 o'clock a. m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 26, 1925.
Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 47, A bill to be entitled

"An Act validating Common School District No. 25 of Gaines county, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines county in respect to said district; and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act validating Common School District No. 11 of Gaines county, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines county in respect to said district, and declaring an emergency."

S. B. No. 49, A bill to be entitled "An Act validating Common School District No. 26 of Gaines county, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines county in respect to said district; and declaring an emergency."

S. B. No. 34, A bill to be entitled "An Act creating and incorporating Acuff Independent School District in Lubbock county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, power, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Acuff Independent School District shall assume and discharge any and all valid outstanding obligations and indebtedness of Acuff Common School District No. 16 in Lubbock county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Acuff Common School District No. 16; providing the title to all property now vested in Acuff Common School District No. 16 shall, on the passage of this act, be vested in Acuff Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining por-

tion or provision and declaring an emergency."

S. B. No. 42, A bill to be entitled "An Act creating and incorporating Common School District No. 16, of Jefferson county, Texas; defining and determining the boundaries of said school district; prescribing the manner of changing and modifying the boundaries of said school district; conferring upon said school district, except as otherwise provided in this act, all the rights, powers, privileges and duties as are conferred and imposed by the general laws of this State upon common school districts; providing for a board of district trustees and prescribing the qualifications for members thereof, and declaring an emergency."

S. B. No. 65, A bill to be entitled "An Act creating and incorporating French Independent School District, in Jefferson county, Texas; defining its boundaries; prescribing the manner of changing and modifying the boundaries of said school district; conferring upon said school district, except as otherwise provided in this act, all the rights, powers, privileges and duties as are conferred and imposed by the general laws of the State of Texas upon independent school districts; providing for a board of trustees to consist of five persons, and prescribing the qualifications and terms of office for members thereof; vesting said trustees and board of trustees, except as otherwise provided in this act, with all the rights, powers, privileges and duties as are conferred and imposed by the general laws of this State upon trustees and boards of trustees of independent school districts; vesting the management and control of the public free school in said school district in the board of trustees as provided in this act; providing for the election of a board of trustees and their successors in office; providing that said board of trustees shall be a body politic and corporate in law, and as such, may contract and be contracted with, may sue and be sued, may plead and be impleaded, and may receive any gift, grant, donation or devise made to and for the use and benefit of the public free schools in said school district; vesting in said school district, its board of trustees and their successors in office with absolute title to all properties and school funds heretofore vested in, belonging to and accrued to the heretofore existing Common School District No. 5 of Jefferson

county, Texas; validating all bond and maintenance taxes heretofore voted, authorized and levied in and for said heretofore existing school district and continuing the same in full force and effect until modified or abolished as provided in this act; validating all bonds authorized, issued and assumed by and upon behalf of said heretofore existing school district; providing that this act shall not impair or invalidate any bonds, contracts, obligations and debts of said heretofore existing school district; providing that all bonds, contracts, obligations and indebtedness of said heretofore existing school district shall constitute valid and binding obligation upon said school district as created by this act, and that the same shall be assumed, paid off and discharged by the school district as created by this act; providing for an assessor and collector of taxes and the compensation and fees that shall be paid thereunder; providing for a secretary of said board of trustees and the compensation to be paid thereunder; providing for suitable offices, books, furniture and office equipment for said secretary and said assessor and collector of taxes; providing for the transportation of school children; providing that this act shall, except as herein otherwise provided, be cumulative of all the general laws of the State of Texas applicable to independent school districts, and that in case of conflict the provisions of this act will and shall control; repealing all laws and parts of laws of this State in so far as they are or may be in conflict with this act; providing that in case any clause, section or sections of this act shall be held by the courts to be unconstitutional or ineffective, such decision by the courts shall not affect or invalidate the remaining sections and provisions of this act; and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 80, A bill to be entitled "An Act validating the proceedings of the county school trustees of Jim Wells county, Texas, in changing the

boundaries of Alice Independent School District in said county and validating all proceedings had with respect to levying a tax of \$1 upon the \$100 valuation of all the taxable property in said school district and validating all proceedings had with reference to the issuance of \$75,000 of school building bonds and authorizing their issuance and repealing all laws in conflict, and declaring an emergency."

S. C. R. No. 8, Declining to ratify the proposed Twentieth Amendment to the Constitution of the United States.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

ADDRESS BY HON. R. E. SEAGLER.

Mr. Kemble offered the following resolution:

Whereas, Hon. R. E. Seagler, former Speaker of the House of Representatives, is now within the bar of the House; and

Whereas, He rendered a valuable service to our State in the Thirty-sixth, Thirty-seventh and Thirty-eighth Legislatures; now, therefore be it

Resolved, That a committee be appointed to escort him to the Speaker's stand and that he be invited to address the House.

Signed—Lane of Harrison, Kemble.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Mr. Seagler to the Speaker's stand:

Messrs. Kemble, Lane of Harrison, and Jacks.

The committee having performed their duty, Speaker Satterwhite presented Hon. R. E. Seagler.

Hon. R. E. Seagler then addressed the House.

HOUSE BILL NO. 19 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 19, A bill to be entitled "An Act reorganizing the Thirtieth Judicial District, by amending subdivision 30, Article 30, of the Revised Statutes of 1911, as amended to hereinafter read as follows, and declaring an emergency."

The bill was read second time.

Mr. McFarlane offered the following (committee) amendment to the bill:

Amend House bill No. 19 by striking out everything below the enacting clause

and inserting in lieu thereof the following:

"Section 1. That subdivision 30 of Article 30 of the Revised Civil Statutes of 1911 shall be and the same is hereby amended so as to read as follows:

"30. The Thirtieth Judicial District shall be composed of the counties of Wichita, Archer and Young; and terms of the district court shall be held therein each year as follows:

"In the county of Wichita, on the first Monday in January, April, July and October, and may continue in session four weeks.

"In the county of Archer, on the first Monday in February, May, August and November, and may continue four weeks.

"In the county of Young, on the first Monday in March, June, September and December, and may continue four weeks.

"All suits now pending in the Ninety-second District Court for Young county shall be, and the same are, hereby transferred to the Thirteenth District Court.

"Sec. 2. The fact that there now exists much litigation, and the fact that the Ninety-second District Court automatically expires on March 15, 1925, creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule requiring bills to be read on three separate days, and that this act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted."

Question—Shall the amendment be adopted?

On motion of Mr. McFarlane, further consideration of the bill was postponed until 10 o'clock a. m. tomorrow.

HOUSE BILL NO. 63 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 63, A bill to be entitled "An Act authorizing the creation of a junior college district; providing for the election of trustees for said district, naming the term of office, providing how vacancies may be filled, the organization of said trustees and the election of officers; providing for the issuance of bonds for said district and authorizing the assessing and collecting of taxes, preparing budgets and providing for the payment of all accounts and expenses; authorizing the board of trustees to make rules and regulations governing courses of study, providing compensation for trustees, and removal from office and the selection of successors,

defining the limits of such district and providing for two or more counties to form such a district and the election of trustees thereunder, repealing all laws and parts of laws in conflict with this measure, and declaring an emergency."

The bill was read second time.

On motion of Mr. Rice, further consideration of the bill was postponed until 2:30 o'clock p. m. tomorrow.

HOUSE BILL NO. 91 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 91, A bill to be entitled "An Act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and the payment of the expenses of such commissioners and contribution to the support of the National Conference of Commissioners on Uniform State Laws, and declaring an emergency."

The bill was read second time.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 91 then failed to pass to engrossment by the following vote:

Yeas—48.

Baker of Orange.	McDougald.
Barron.	McGill.
Bryant.	Montgomery.
Conway.	Parish.
Coody.	Perdue.
Daniels.	Petsch.
DeBerry.	Poage.
Dielmann.	Pool.
Dinkle.	Powell.
Donnell.	Purl.
Downs.	Rawlins.
Dunn of Falls.	Robinson.
Enderby.	Rowell.
Florence.	Runge.
Foster.	Smith of Travis.
Hall.	Smyth.
Hollowell.	Strong.
Jacks.	Taylor.
Jasper.	Teer.
Johnson.	Tomme.
Kittrell.	Veatch.
Laird.	Wells.
Low.	Wester.
Mankin.	Wilson.

Nays—64.

Albritton.	Bartlett.
Alexander	Bateman.
of Bastrop.	Bean.
Avis.	Bird.
Baker of Panola.	Boggs.
Barker.	Brown.

Cade.	McDonald.
Carter.	McFarlane.
Coffey.	McKean.
Covey.	Merritt.
Cox of Lamar.	Moore.
Cox of Navarro.	Nicholson.
Cummings.	Pavlica.
Dale.	Pope.
Davis of Dallas.	Renfro.
Davis of Wood.	Rice.
Durham.	Rogers.
Finlay.	Rowland.
Frnka.	Sheats.
Graves.	Simmons.
Gray.	Smith of Nueces.
Hagaman.	Sparks.
Harman.	Stautzenberger.
Harper.	Stevens.
High.	Stout.
Hoskins.	Thompson.
Jones.	Wade.
Justice.	Walker.
Kemble.	Wallace.
Lane of Hamilton.	Williamson.
Lane of Harrison.	Woodruff.
Loftin.	Young.
Masterson.	

Present—Not Voting.

Alexander	Lipscomb.
of Limestone.	

Absent.

Acker.	Houston.
Atkinson.	Irwin.
Blount.	Kenyon.
Bobbitt.	King.
Bonham.	Sanford.
Chitwood.	Shearer.
Dunn of Hopkins.	Stell.
Farrar.	Stevenson.
Faulk.	Webb.
Fields.	Westbrook.

Absent—Excused.

Amsler.	McBride.
Bedford.	McNatt.
Dunlap.	Pearce.
Hull.	Raymer.
Jordan.	Simpson.
Kayton.	Sinks.
Kinnear.	Storey.
Maxwell.	

HOUSE BILL NO. 106 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 106, A bill to be entitled "An Act to amend Article 2894, Revised Statutes of 1911, reducing the free school age to six years and removing the maximum limit of free school age."

The bill was read second time.

Mr. Woodruff offered the following amendment to the bill:

Amend House bill No. 106 by striking out "six" and inserting in lieu thereof the word "seven" in line 20.

Mr. McFarlane raised a point of order on consideration of the amendment, on the ground that it seeks to re-enact the present law.

The Speaker overruled the point of order.

Question recurring on the amendment, it was lost.

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 106 was then passed to engrossment by the following vote:

Yeas—62.

Alexander	Justice.
of Bastrop.	Laird.
Baker of Orange.	Lipscomb.
Baker of Panola.	Masterson.
Barker.	McDonald.
Barron.	McFarlane.
Bobbitt.	McGill.
Boggs.	Merritt.
Bryant.	Montgomery.
Cox of Lamar.	Nicholson.
Cox of Navarro.	Parish.
Davis of Dallas.	Rawlins.
Davis of Wood.	Renfro.
Dielmann.	Rowell.
Dinkle.	Runge.
Donnell.	Sheats.
Downs.	Smyth.
Durham.	Stell.
Enderby.	Stevens.
Fields.	Strong.
Finlay.	Taylor.
Florence.	Teer.
Foster.	Tomme.
Frnka.	Wade.
Graves.	Walker.
Gray.	Wallace.
Harper.	Webb.
Hollowell.	Wester.
Hoskins.	Williamson.
Jacks.	Woodruff.
Jasper.	Young.
Johnson.	

Nays—54.

Albritton.	Coody.
Atkinson.	Covey.
Avis.	Dale.
Bartlett.	Daniels.
Bateman.	DeBerry.
Bean.	Dunn of Falls.
Bird.	Dunn of Hopkins.
Cade.	Hagaman.
Carter.	Hall.
Coffey.	Harman.
Conway.	High.

Jones.	Purl.
Kemble.	Rice.
Kittrell.	Robinson.
Lane of Hamilton.	Rogers.
Lane of Harrison.	Rowland.
Loftin.	Sanford.
Low.	Simmons.
Mankin.	Smith of Nueces.
McDougald.	Smith of Travis.
McKean.	Sparks.
Moore.	Stautzenberger.
Pavlica.	Stout.
Perdue.	Thompson.
Poage.	Veatch.
Pope.	Westbrook.
Powell.	Wilson.

Present—Not Voting.

Brown.

Absent.

Acker.	Houston.
Alexander	Irwin.
of Limestone.	Kenyon.
Blount.	King.
Bonham.	Pool.
Chitwood.	Shearer.
Cummings.	Stevenson.
Farrar.	Wells.
Faulk.	

Absent—Excused.

Amsler.	McBride.
Bedford.	McNatt.
Dunlap.	Pearce.
Hull.	Petsch.
Jordan.	Raymer.
Kayton.	Simpson.
Kinnear.	Sinks.
Maxwell.	Storey.

BILL AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolutions:

H. B. No. 118, "An Act to create the Amherst Independent School District in Lamb county, Texas, providing for the appointment of a board of trustees by the county judge of Lamb county until their successors are elected and qualified, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas, and declaring an emergency."

H. C. R. No. 3, Expressing appreciation for Texas Cowboy Statue.

H. C. R. No. 4, Expressing thanks to Mr. Charles Cason for services rendered in regard to Texas Cowboy Statue.

HOUSE BILL NO. 114 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 114, A bill to be entitled "An Act to amend Section 1 of Chapter 53, Acts of the Regular Session of the Thirty-fourth Legislature, empowering commissioners courts to acquire lands for county park purposes, and levy taxes therefor, so as to provide for the levy of taxes or the issue of bonds for the purchase and improvement of lands for county parks, if authorized by majority vote of the qualified property tax-paying voters of the county voting at elections held for such purposes; adding to said Chapter 53, Acts of the Regular Session of the Thirty-fourth Legislature, two new sections designated as Sections 1a and 1b; providing that the law for holding elections on other county bonds shall apply to tax and bond elections herein authorized; providing that any county that has heretofore voted taxes for county parks may issue bonds for such purpose by complying with the requirements of this act and first holding an election for the purpose; providing that no county shall levy more than five (5) cents on the hundred dollars' valuation of taxable property for county park purposes, for payment of county park bonds, or both, as the case may be; and declaring an emergency."

The bill was read second time and failed to pass to engrossment.

HOUSE BILL NO. 126 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 126, A bill to be entitled "An Act to amend Chapter 1, Title 29 of the Revised Civil Statutes of the State of Texas, 1911, as amended by Chapter 80, General Laws, Regular Session, Thirty-eighth Legislature, relating to the auditing of books, records and accounts of district, county and precinct officers, agents and employes and institutions maintained by the county, and declaring an emergency."

The bill was read second time.

Mr. Laird offered the following amendment to the bill:

Amend House bill No. 126 by changing the words and figures "20,000" wherever they occur to "25,000."

The amendment was adopted.

House bill No. 126 was then passed to engrossment.

RELATING TO HOUSE BILL NO. 114.

Mr. Teer moved to reconsider the vote by which House bill No. 114 failed to pass to engrossment and asked to have the motion to reconsider spread on the Journal.

BILL ORDERED NOT PRINTED.

On motion of Mr. Mankin, Senate bill No. 7 was ordered not printed.

HOUSE BILL NO. 139 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 139, A bill to be entitled "An Act providing for the development and improvement of navigation of the inland coastal waters of this State pursuant to Section 59 of Article XVI of the State Constitution; providing for the preservation and conservation of inland and coastal waters of this State under said constitutional provision; providing for navigation districts; providing for the raising of the necessary funds, the issuance of bonds and the levying and collection of necessary taxes for such purposes; providing all things necessary and incident to such purpose and subject."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

ADJOURNMENT.

On motion of Mr. Finlay, the House, at 4:10 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Criminal Jurisprudence—Senate bill No. 7; House bills Nos. 119, 185 and 151.

Municipal and Private Corporations—House bill No. 168.

Game and Fisheries—House bill No. 6.

Revenue and Taxation—Senate bill No. 67.

Highways and Motor Traffic—House bills Nos. 23 and 128.

Education—House bills Nos. 107 and 148.

The Committee on School Districts filed an adverse report on House bill No. 99.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 146, A bill to be entitled: "An Act dividing Ropes Independent School District in Hockley county, Texas; creating two independent school districts; creating and incorporating Ropes Independent School District No. 1, Hockley county, Texas; re-establishing and redefining the boundaries; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Ropes Independent School District shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1 in Hockley county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Ropes Independent School District No. 1; providing that title to all property now vested in Ropes Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

H. B. No. 104, A bill to be entitled "An Act creating Morton Independent School District in Cochran county, Texas; defining its boundaries; providing for a board of trustees; vesting title to all school property within said district in the trustees and their successors; charging the said district with all the indebtedness and the performance of all contracts of the school heretofore included within the district; providing that the board of trustees heretofore elected and now serving in Morton Common School District No. 4, as now existing, shall continue in effect for the district hereby created until the expiration of their terms and until their successors shall have been elected and qualified; authorizing the trustees to exercise all the rights and powers conferred by the general laws upon trustees of independent districts created for school purposes under the general laws; validating and continuing in force the local maintenance taxes heretofore voted by the voters in the territory included within the district heretofore by a uniform tax upon the whole district, increase or diminish the same, or until they abolish such taxes, in accordance with the general statutes; providing for the appointment of a board of equalization and tax assessor and collector for said district: providing that if any part of this act shall not be constitutional, the remaining part of this act shall not be invalidated; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 20, A bill to be entitled "An Act to amend Article 2078 of the Revised Civil Statutes of 1911, to provide for appeals and writs of error from orders granting motion for new trials, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

H. B. No. 66, A bill to be entitled "An Act to amend Article 151, Title 10, of the Revised Statutes of the State of Texas relating to the writ for the apprehension of persons who are lunatics or non compos mentis and their detention, prohibiting the incarceration of such persons in county jails in counties where city or county hospitals exist, providing that they shall be detained in such county or city hospitals, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 153, A bill to be entitled "An Act to exempt the County of Culberson from the provisions and operations of Articles 7256 to 7304, inclusive, of Chapter 7, Title 124, of the Revised Civil Statutes, 1911, relating to the inspection of hides and animals; repealing all laws in conflict therewith, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 53, A bill to be entitled "An Act to amend Article 3691 of the Revised Statutes of the State of Texas, by adding that conviction of a felony should not disqualify a witness from testifying,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 157, A bill to be entitled "An Act to repeal Chapter 95, Special Laws, Thirty-eighth Legislature, entitled 'An Act to provide an efficient system

of road maintenance in Upshur county,' and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 168, A bill to be entitled "An Act to extend the corporate limits of the city of Kingsville so as to include therein certain land adjacent thereto upon which is being constructed the South Texas Teachers College, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 152, A bill to be entitled "An Act validating Common School District No. 3 of Hudspeth county, and validating a maintenance tax election heretofore held by said district; defining the powers of the county board of school trustees of Hudspeth county, of said district; and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 108, A bill to be entitled "An Act validating Consolidated Common School District No. 110 of Palo Pinto county, Texas, as same described in an order of the commissioners court of Palo Pinto county, Texas, of date July 28, 1924; validating an election for school houses and equipment bonds and the purchase of a site for said school houses, in the sum of \$5000 held on August 23, 1924, together with all orders of the commissioners court of Palo Pinto county pursuant to said election and in respect to said bonds; also validating all levies of taxes made

by said commissioners court for the purpose of providing interest and sinking fund for said bonds; authorizing the Attorney General to approve said bonds; defining the powers of the school trustees of Palo Pinto county in respect to said district; validating an election for assumption by Consolidated District No. 11 of bonds of component districts, together with all orders of the commissioners court of Palo Pinto county pursuant to said election and in respect to said assumption, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, January 24, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 120, A bill to be entitled "An Act to create the Big Wells Independent School District in Dimmit county, Texas; providing a board of trustees therefor, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing for a board of trustees to serve until the time for the next election of school trustees, as provided by general laws, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, January 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 118, "An Act to create the Amherst Independent School District in Lamb county, Texas, providing for the appointment of a board of trustees by the county judge of Lamb county until their successors are elected and qualified, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,
Austin, Texas, January 23, 1925.
Hon. Lee Satterwhite, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 4. Expressing thanks to
Mr. Charles Cason for services rendered
in regard to Texas Cowboy Statue.

Have carefully compared same and
find it correctly enrolled.

STOUT, Chairman.

Committee Room,
Austin, Texas, January 22, 1925.
Hon. Lee Satterwhite, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 3. Expressing apprecia-
tion for Cowboy Statue.

Have carefully compared same and
find it correctly enrolled.

STOUT, Chairman.

TWELFTH DAY.

(Tuesday, January 27, 1925.)

The House met at 10 o'clock a. m.,
pursuant to adjournment, and was called
to order by Speaker Satterwhite.

The roll was called and the following
members were present:

Acker.	Cummings.
Albritton.	Dale.
Alexander	Daniels.
of Bastrop.	Davis of Dallas.
Alexander	Davis of Wood.
of Limestone.	DeBerry.
Atkinson.	Dielmann.
Avis.	Dinkle.
Baker of Orange.	Donnell.
Baker of Panola.	Downs.
Barker.	Dunn of Falls.
Barron.	Dunn of Hopkins.
Bartlett.	Durham.
Bateman.	Enderby.
Bean.	Faulk.
Bird.	Fields.
Blount.	Finlay.
Bobbitt.	Florence.
Boggs.	Frnka.
Brown.	Graves.
Bryant.	Gray.
Cade.	Hagaman.
Carter.	Hall.
Chitwood.	Harman.
Coffey.	Harper.
Conway.	High.
Coody.	Hollowell.
Covey.	Hoskins.
Cox of Lamar.	Jacks.
Cox of Navarro.	Jasper.

Johnson.	Rice.
Jones.	Robinson.
Justice.	Rogers.
Kayton.	Rowell.
Kemble.	Rowland.
Kenyon.	Runge.
Kittrell.	Sanford.
Laird.	Sheats.
Lane of Hamilton.	Simmons.
Lane of Harrison.	Sinks.
Lipscomb.	Smith of Nueces.
Loftin.	Smith of Travis.
Low.	Smyth.
Mankin.	Sparks.
Masterson.	Stautzenberger.
McDonald.	Stell.
McDougald.	Stout.
McFarlane.	Strong.
McGill.	Taylor.
McKean.	Teer.
McNatt.	Thompson.
Merritt.	Tomme.
Montgomery.	Veatch.
Nicholson.	Wade.
Parish.	Walker.
Pavlica.	Wallace.
Perdue.	Webb.
Petsch.	Wells.
Poage.	Westbrook.
Pool.	Wester.
Pope.	Williamson.
Powell.	Wilson.
Rawlins.	Woodruff.
Renfro.	Young.

Absent.

Bedford.	Purl.
Foster.	Shearer.
Houston.	Stevens.
Moore.	Storey.

Absent—Excused.

Amsler.	Kinnear.
Bonham.	Maxwell.
Dunlap.	McBride.
Farrar.	Pearce.
Hull.	Raymer.
Irwin.	Simpson.
Jordan.	Stevenson.
King.	

A quorum was announced present.

Prayer was offered by Rev. J. C.
Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted
leave of absence on account of important
business:

Mr. Dunlap for today, on motion of
Mr. Jacks.

Mr. Simpson for today, on motion of
Mr. Lane of Harrison.

Mr. Hull for today, on motion of
Mr. Cade.